

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:13-CV-546-BO

ZO XABIERE ALI, *also known as*,)
LORENZO DOMINIC RICHARDSON,)

Plaintiff,)

v.)

NORTH CAROLINA SHERIFF'S)
ASSOCIATION and NORTH CAROLINA)
ASSOCIATION OF DISTRICT COURT)
JUDGES,)

Defendants.)

ORDER

This matter is before the Court on the Memorandum and Recommendation ("M&R") of United States Magistrate Judge Robert B. Jones, Jr. [DE 6]. For the following reasons, the Court ADOPTS the M&R. Plaintiff's claims are DISMISSED in their entirety.


BACKGROUND

Plaintiff, a resident of North Carolina, has filed suit against the North Carolina Sheriff's Association and the North Carolina Association of District Court Judges. It appears that plaintiff is alleging that defendants conspired against him, resulting in plaintiff's arrest, which he characterizes as a kidnapping, due to plaintiff's failure to comply with an allegedly fraudulent child support order. Plaintiff seeks compensatory and punitive damages. Plaintiff also appears to seek removal to this court of a state court criminal case filed against him in Wake County District Court. Magistrate Judge Jones, in his M&R of September 18, 2013, recommended that plaintiff's claims be dismissed as frivolous and that the state court case be remanded to state court.

DISCUSSION

The Court adopts the M&R because plaintiff has made no objections to it and because the M&R is not clearly erroneous or contrary to law. 28 U.S.C. § 636 (b)(1)(B). A district court is only required to review an M&R de novo if the plaintiff specifically objects to it or in cases of plain error. *Id.*; *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). The magistrate has not committed plain error in this instance. Therefore, the Court ADOPTS the Magistrate Judge's recommendations and DISMISSES plaintiff's complaint in its entirety and REMANDS the state criminal case no. 13CR218715 to Wake County District Court.

SO ORDERED, this 24 day of October, 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE